

## Remarks

In the Office Action dated December 22, 2004, the Examiner requested minor corrections to the specification; rejected claims 1-29 and 34-91 under 35 U.S.C. § 103(a) as being unpatentable over *Falls et al.* (U.S. Patent No. 5,950,198) in view of *Remington et al.* (U.S. Patent No. 6,070,150);<sup>1</sup> and rejected claims 30-33 under 35 U.S.C. § 103(a) as being unpatentable over *Remington et al.* in view of *Sharma et al.* (U.S. Patent No. 5,511,190).

By this amendment, Applicants have amended the specification to include the application serial numbers of the related application nos. mentioned in paragraph [001]. Based on the following remarks, Applicants respectfully traverse the rejection of claims 1-91.

### **I. The Rejection of Claims 1-29 and 34-91**

#### **a. The Cited Art does not Support the Rejection of Claims 1-12 under 35 U.S.C. § 103(a).**

To establish a prima facie case of obviousness, three basic criteria must be met. First, the prior art reference or references, taken alone or combined, must teach or suggest each and every element recited in the claims. See M.P.E.P. § 2143.03. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to combine the references in a manner resulting in the claimed invention. See M.P.E.P. § 2143. Third, a reasonable expectation of success must exist. See

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<sup>1</sup> Applicants note that the body of the rejection refers to claim 26 twice. (See *Office Action*, page 10, ¶¶ 32 and 33.) Because it appears the Examiner meant to address claim 27 in the second instance of "claim 26," Applicants address claim 27 accordingly in the arguments below.

M.P.E.P. § 2143.02. Moreover, each of these requirements must “be found in the prior art, and not based on applicant’s disclosure.” M.P.E.P. § 2143.

In attempting to reject claim 1, the Examiner asserts *Falls et al.* teaches “receiving first data reflecting a class file,” “receiving second data reflecting a data representation file,” and “packaging the first and second data.” Applicants disagree with the Examiner’s interpretation of *Falls et al.* The reference discloses a system that synchronizes files in a distributed system through the use of synchronization keys. For example, according to *Falls et al.*, when a file located in two computers (i.e., a source and target computer) is updated at one of the computers, the system synchronizes the file between the two computers by determining a source file key associated with the computer making the file updates. The system then searches for an existing file on a target computer having a portion represented by a file key that matches the source file key. If a match is made, the system accesses the portion of the file disposed on the target computer to generate the file correspondence, (i.e., “a state wherein a file located on a first computer matches . . . a second file on a second computer.”) (See *Falls et al.*, col. 2, lines 41-52 and col. 3, lines 34-40.)

Contrary to the Examiner’s assertions, the FILE class and its associated key attributes do not correspond to second data reflecting a data representation file. (See *Office Action*, page 3 ¶ 5.) Further, claims 26 and 27 of *Falls et al.*, cited by the Examiner, do not even mention data representation files. Also, *Falls et al.* fails to disclose or suggest packaging the second data with first data reflecting a class file, as asserted by the Examiner. According to the Examiner, col. 3, lines 34-39, col. 7, lines 25-32, and col. 16, lines 44-46 allegedly teach these features. However, these cited

portions, or anywhere else in *Falls et al.*, do not disclose or even mention packaging a data representation file with data reflecting a class file. The partial files that may include bitmap pictures, text, etc. disclosed by *Falls et al.* are not data reflecting a data representation file, as asserted by the Examiner. (See *Falls et al.*, col. 7, lines 25-32.) Further, the reference is completely silent on packaging this type of information with data reflecting a class file.

The Examiner admits that *Falls et al.* does not teach “an automated workflow process.” (See *Office Action*, page 3, ¶ 6.) The Examiner cites *Remington et al.* to make up for the deficiencies of *Falls et al.* According to the Examiner, *Remington et al.* teaches “associating the packaged data with an activity that may be used in an automated workflow process to access information external to the process management system. (See *Office Action*, page 3, ¶ 6.) Applicants disagree with the Examiner’s interpretation of *Remington et al.* This reference discloses an electronic bill presentment and payment system that enables a biller to present a bill to a customer for authentication and payment. (See *Remington et al.*, Abstract.) Based on the customer’s response, the system may adjust the bill. The system may automatically fill in payment information for an electronic check that is submitted to a bank for payment on the bill. (See *Remington et al.*, col. 13, lines 24-30 and col. 14, lines 49-53.)

Contrary to the Examiner’s assertions, providing payment information that is automatically filled in an electronically presented check is not the same as associating packaged data reflecting a data representation file and a class file with an activity that may be used in an automated workflow process to access information external to the process management system. Indeed, the bill presentment and payment system

disclosed by *Remington et al.* has nothing to do with workflows or a process management system. Further, the reference does not teach packaged data, as asserted by the Examiner.

Because neither *Remington et al.* nor *Falls et al.* teaches or suggests at least packaging first and second data and associating the packaged data with an activity that may be used in an automated workflow process to access information external to a process management system, as asserted by the Examiner, the references do not support the rejection of claim 1 under 35 U.S.C. § 103(a).

**b. There is no Motivation to Combine the Cited Art**

Moreover, *prima facie* obviousness has not been established at least because the requisite motivation to combine *Falls et al.* and *Remington et al.* is lacking. Determinations of obviousness must be supported by evidence in the record. See *In re Zurko*, 258 F.3d 1379, 1386 (Fed. Cir. 2001) (finding that the factual determinations central to the issue of patentability, including conclusions of obviousness by the Board, must be supported by “substantial evidence”). Further, the desire to combine references must be proved with “substantial evidence” that is a result of a “thorough and searching” factual inquiry. *In re Lee*, 277 F.3d 1338, 1343-1344 (Fed. Cir. 2002) (quoting *McGinley v. Franklin Sports, Inc.*, 262 F.3d 1339, 1351-52).

In this case, the Office Action does not show that a skilled artisan considering *Falls et al.* and *Remington et al.*, and not having the benefit of Applicants’ disclosure, would have been motivated to combine or modify the references in a manner resulting in Applicants’ claimed combination. The Examiner alleges that a skilled artisan would have modified *Falls et al.* “because Remington’s method of automating certain process

would make Falls system more efficient but having less user interaction.” (See *Office Action*, page 3, ¶ 7.) This conclusion is not properly supported and does not show that a skilled artisan would have combined the references as alleged. The mere fact that *Remington et al.* mentions an automated process (i.e., automatically filling in payment information in an electronic check) does not show that a skilled artisan would have been motivated to modify *Falls et al.* as alleged.

The M.P.E.P. makes clear that: “[t]he mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination” M.P.E.P. § 2143.01 (citations omitted). The Examiner has not shown that the cited art “suggests the desirability” of the alleged combination. Indeed, there is no reason why a skilled artisan would look to modify *Falls et al.*, which is directed toward file synchronization and replication processes, with a bill presentment and payment system as disclosed by *Remington et al.* Therefore the conclusions in the Office Action were not reached based on facts gleaned from the cited references and that, instead, teachings of the present application were improperly used in hindsight to reconstruct the prior art. For at least these additional reasons, the Examiner has not established a *prima facie* case of obviousness with respect to claim 1, and thus, the rejection of that claim under 35 U.S.C. § 103(a) should be withdrawn.

Claims 2-11 depend from claim 1. As explained, the cited art does not support the rejection of claim 1. As such, the cited art does not support the rejection of claims 2-11 for at least the same reasons set forth in connection with the response to the rejection of claim 1. Further, the cited art does not teach or suggest the recitations of these claims as asserted by the Examiner. For example, the discussion of “file

correspondency," and the basic configuration of a schema (e.g., classes, properties or attribute type, and attribute syntaxes) in *Falls et al.* do not suggest a data representation file that includes a section that determines the appearance of a representation reflecting the activity, as asserted by the Examiner. In fact, *Falls et al.* does not even mention such features. Further, the cited art does not disclose data that defines a package for the class file or data that defines methods of any sort, much less methods that retrieve and set values, defines variables that are constant across all instances of the activity, associated with an input hashtable, etc., as alleged by the Examiner (See e.g., *Office Action*, page 4, ¶¶ 10-14.) Accordingly, because the cited art does not support the rejection of claims 2-11, Applicants request that the rejection of these claims be withdrawn, and the claims allowed.

c. The Cited Art Does Not Teach or Suggest the Recitations of Claims 12-29 and 34-91, as Asserted by the Examiner.

In attempting to reject claim 12, the Examiner asserts *Falls et al.* discloses a file associated with a customer activity and assigning visual representation associated with the customer activity. Applicants disagree. The database scheme and partial files disclosed by *Falls et al.*, and cited by the Examiner (See *Office Action*, page 6 ¶ 18), do not teach a custom activity of any sort or a visual representation associated with such an activity. As explained above in connection with the arguments for claim 1, *Falls et al.* is directed towards a file synchronization system and has nothing to do with custom activities.

Also, the Examiner asserts that *Remington et al.* teaches receiving an indication of the custom activity in a workflow process based on a position of the visual representation in a process map representing the workflow process. (See *Office Action*,

page 6, ¶ 18.) As explained above in connection with the arguments for claim 1, *Remington et al.* does not teach or suggest workflow processes. Moreover, the payment remittance user interface disclosed by *Remington et al.*, and cited by the Examiner, does not teach or suggest any form of custom activity in a workflow process, much less based on a position of a visual representation associated with the custom activity. Indeed, both *Remington et al.* and *Falls et al.* are completely devoid of any discussion regarding custom activities, their implementation, and visual representations associated with such activities in a process map. Accordingly, the references do not support the rejection of claim 12 under 35 U.S.C. § 103(a), and therefore, Applicants request that the rejection be withdrawn and the claim allowed.

In addition to the reasons set forth above in connection with the arguments for claim 12, the cited art does not teach or suggest a file defining properties associated with a custom activity and defining a model associated with the custom activity that may be used to access information external to the process manager system, as asserted by the Examiner. (See *Office Action*, page 7, ¶ 20.) For example, the biller software that generates a bill and associated remittance information discussed by *Remington et al.* on col. 7, lines 50-57 has nothing to do with a model associated with a custom activity, as alleged by the Examiner. And as explained above in connection with the arguments for claim 12, *Falls et al.* does not teach or suggest a custom activity. Accordingly, the cited art does not support the rejection of claim 14, and Applicants request that the rejection of this claim be withdrawn and the claim allowed.

Similarly, the cited art does not teach or suggest a process map reflecting an automated workflow process, an image reflecting a custom activity, and invoking a class

defining the custom activity based on a manipulation of the image, as asserted by the Examiner in rejecting claim 20. Indeed, the references are completely silent of any such features. Contrary to the Examiner's assertions, the database schema, partial source file objects, and FILE class disclosed by *Falls et al.* have no correlation to a custom activity or an image reflecting such an activity that may be manipulated by a user. In fact, *Falls et al.* does not even suggest manipulating any images. Accordingly, the cited art does not support the rejection of claim 20, and therefore Applicants request that the rejection be withdrawn and the claim allowed.

The Examiner also asserts that *Remington et al.* teaches archiving files in an archive file such that when a custom activity is activated, the archived files are accessed and executed. (See *Office Action*, page 9, ¶ 27.) Applicants disagree. As explained above, the automated payment remittance process performed by the bill presentment and payment process disclosed by *Remington et al.* are not associated with a custom activity. Moreover, such processes do not teach or suggest an archive file that is accessed when the activity is activated, as alleged by the Examiner. Indeed, *Remington et al.* (and *Falls et al.*) do not even mention or suggest such archive files. Accordingly, the cited art does not support the rejection of claim 21, and therefore Applicants request that the rejection be withdrawn and the claim allowed.

Further, as explained above in connection with the arguments for claim 1, *Remington et al.* and *Falls et al.*, alone or in combination, disclose or suggest a data representation file that is packaged, as alleged by the Examiner in rejecting claim 27. Moreover, the cited art does not teach or suggest an icon that represents the packaged files and is associated with an activity that performs processes defined by the class and



data representation files, as asserted by the Examiner. (*Office Action*, page 10, ¶ 33.) Indeed, neither reference discloses any type of icon that is associated with an activity, much less represents any packaged data. Accordingly, the cited art does not support the rejection of claim 27, and therefore Applicants request that the rejection be withdrawn and the claim allowed.

In addition to the arguments presented above in connection with claim 12, it is clear that *Falls et al.* and *Remington et al.* fail to teach or suggest any methods that define initialization tasks associated with a custom activity or that execute tasks associated with the custom activity, as asserted by the Examiner. (*Office Action*, page 11, ¶ 36.) For example, the bill presentment and payment processes disclosed by *Remington et al.* do not implement methods, as recited in claim 34, much less an `init()` and `perform()` method. Also, *Falls et al.* does not teach a package for importing packages, as alleged by the Examiner. Instead, *Falls et al.* describes a system for synchronizing data files. Nowhere does the system discuss importing packages, much less defining a package for doing so. Accordingly, the cited art does not support the rejection of claim 34, and therefore Applicants request that the rejection be withdrawn and the claim allowed.

Further, contrary to the Examiner's assertions, *Remington et al.* does not teach any type of custom palette, much less receiving a selection to add the custom palette, and an identifier associated with the palette, and assigning a visual representation to the palette reflecting a custom activity that may be used in an automated workflow. *Falls et al.* does not make up the deficiencies of *Remington et al.* Similarly, the cited art does not teach or suggest assigning a custom activity to a palette and determining

activation of the activity based on a manipulation associated with the palette, as asserted by the Examiner in rejecting claim 38. As explained, these references do not discuss manipulating any type of representation. Nor do they disclose a palette in a manner recited in claim 38. Moreover, the cited art does not teach or suggest defining any type of interface, much less one with a package external to a process management system, as asserted by the Examiner in rejecting claim 39. Similarly, as argued above, the cited art fails to teach or suggest any type of manipulation of an image reflecting a custom activity. Accordingly, the cited art does not support the rejection of claims 37-39, and therefore Applicants request that the rejection be withdrawn and the claims allowed.

Claim 13 depends from claim 12; claims 15-19 depend from claim 14; claims 22-26 depend from claim 21; claims 28 and 29 depend from claim 27; and claims 35 and 36 depend from claim 34. As explained above, the cited art does not support the rejection of independent claims 12, 14, 21, 27, and 34. Accordingly, the cited art does support the rejection of their dependent claims 15-19, 2-26, 28, 29, 35, and 36 for at least the same reasons set forth above. Further, the cited art fails to teach or suggest the recitations of claims 15-19, 2-26, 28, 29, 35, and 36, as alleged by the Examiner. For example, *Falls et al.* and *Remington et al.* do not teach or even mention XML description files, as asserted by the Examiner in rejecting claims 19, 25, 28, and 29. Indeed, these references are completely silent on this type of file. Further, the cited art does not disclose a JAR or zip file, as alleged by the Examiner in rejecting claim 26, for example. Because the cited art does not support the rejection of claims 15-19, 2-26,

28, 29, 35, and 36, Applicants request that the rejection of these claims be withdrawn and the claims allowed.

The Examiner rejects claims 40-91 for the same reasons set forth in connection with claims 1-26. (See *Office Action*, page 13, ¶¶ 42 and 43.) Accordingly, Applicants submit that the cited art fails to teach or suggest the recitations of claims 40-91, as asserted by the Examiner, for at least the same reasons set forth above in connection with the arguments for claims 1-26. Because the cited art does not support the rejection of claims 40-91, the rejection of these claims should be withdrawn and the claims allowed.

d. The Examiner Has not Presented any Evidence to Support the Alleged Combination of the Cited Art

Additionally, as explained above in connection with the arguments for claim 1, determinations of obviousness must be supported by evidence on the record. In rejecting claims 12-29 and 34-91, however, the Examiner has not even presented any suggestion for combining *Remington et al.* and *Falls et al.* in a manner to allegedly render these claims obvious. Indeed, the Examiner merely alleges that each reference individually teaches different aspects of the claims without providing a reason for the combination of the cited references or evidence supporting a motivation to make the missing combination. Such unsupported conclusions are improper. Applicants therefore submit that the rejection of these claims are improper and should be withdrawn. Further, as discussed above in connection with the arguments for claim 1, there is no motivation or suggestion to combine *Remington et al.* and *Falls et al.* to render claims 12-29 and 34-91 obvious.

## **II. The Rejection of Claims 30-33**

As explained above in connection with the arguments for claim 12, *Remington et al.* fails to teach or suggest a custom activity, as asserted by the Examiner. The Examiner does, however, admit that *Remington et al.* does not teach or suggest input and output values used in a hashtable. (See *Office Action*, page 14, ¶ 46.) The Examiner alleges *Sharma et al.* makes up for this deficiency. Applicants disagree. *Sharma et al.* discloses an SQL grouping system that uses hash-based techniques to group queries for a database system. While *Sharma et al.* discloses hash functions and tables, the reference makes no reference to custom activities. Accordingly, *Remington et al.*, alone or in combination with *Sharma et al.*, fail to teach or suggest the recitations of claims 30-33, as asserted by the Examiner. Therefore, Applicants request that the rejection of these claims be withdrawn and the claims allowed.

### **III. Conclusion**

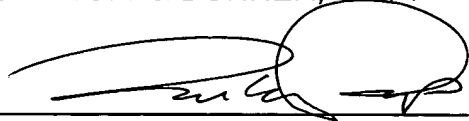
In view of the foregoing remarks, Applicants submit that this claimed invention, is neither anticipated nor rendered obvious in view of the cited art. Applicants therefore request the Examiner's reconsideration and reexamination of the application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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